

Entered - 07/29/04 - sb
CL04L0471 - DIANNE C. MITCHELL

05-R -1258

CLAIM OF: **SANDRA MERSIER,**
through her attorney,
William D. Holman
4227 Pleasant Hill Road
Building 11, Suite 300
Duluth, Georgia 30096

For damages alleged to have been sustained as a result of a vehicular accident on July 1, 2004 at Moreland Avenue and McPherson Avenue.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **SANDRA MERSIER, through her attorney, William D. Holman** the sum of **\$25,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on July 1, 2004 at Moreland Avenue and McPherson Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 7/12/05

CHAIR: C. Lela Hester

Harry Woodward

Carla Smith

Harold Smith

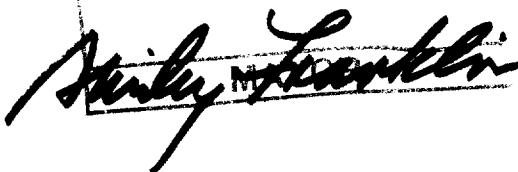
C. T. Martin

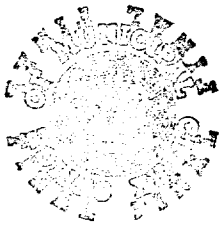
Joyce M. Shepherd

ADOPTED BY
JUL 18 2005
COUNCIL

APPROVED

JUL 26 2005





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

05-R-1258

A RESOLUTION

**BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Sandra Mersier, through her attorney, William D. Holman** to in the sum of **\$25,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a **result of a vehicular accident on July 1, 2004 at Moreland Avenue and McPherson Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,


Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

JUL 18, 2005
JUL 26, 2005

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0471

Date: June 29, 2005

Claimant /Victim SANDRA MERSIER
BY:(Atty) William D. Holman
Address: 4227 Pleasant Hill Road, Building 11, Suite 300, Duluth, Georgia 30096
Subrogation: Claim for Property damage \$ Bodily Injury \$ 299,734.66
Date of Notice: 07/28/04 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 07/01/04 Place: Moreland Avenue and McPherson Avenue
Department PRCA Bureau: Parks
Employee involved Charles Lee Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle ran a red light and collided with the vehicle in which the claimant was riding causing her serious bodily injuries.

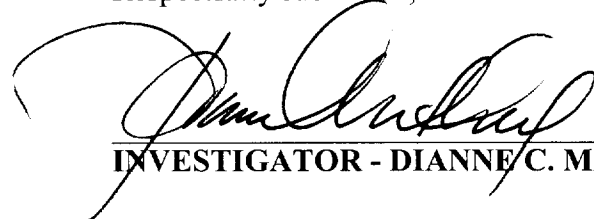
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures X Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 25,000.00 Adverse Account charged: 1A01 X 2J01 2H01 2P01
Claims Manager: Concur/date 06/29/05
Committee Action: Council Action

RCS# 6850
7/18/05
4:53 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 6-19

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		7/05/05
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSESED ON CONSENT
1. 05-O-0663	31. 05-R-1226	52. 05-R-1265
2. 05-O-0666	32. 05-R-1227	53. 05-R-1266
3. 05-R-0900	33. 05-R-1228	54. 05-R-1267
4. 05-O-0901	34. 05-R-1302	55. 05-R-1268
5. 05-O-0902	35. 05-R-1303	56. 05-R-1269
6. 05-O-1294	36. 05-R-1304	57. 05-R-1270
7. 04-O-1363	37. 05-R-1318	58. 05-R-1271
8. 05-O-1129	38. 05-R-1220	59. 05-R-1272
9. 05-O-1131	39. 05-R-1250	60. 05-R-1273
10. 05-O-1132	40. 05-R-1252	61. 05-R-1274
11. 05-O-1133	41. 05-R-1295	62. 05-R-1275
12. 05-O-1134	42. 05-R-1255	63. 05-R-1276
13. 05-O-1135	43. 05-R-1256	64. 05-R-1277
14. 04-O-1973	44. 05-R-1257	65. 05-R-1278
15. 05-O-1126	45. 05-R-1258	66. 05-R-1279
16. 05-O-1128	46. 05-R-1259	67. 05-R-1280
17. 05-O-1296	47. 05-R-1260	68. 05-R-1281
18. 05-O-1300	48. 05-R-1261	69. 05-R-1283
19. 05-R-1140	49. 05-R-1262	70. 05-R-1284
20. 05-R-1320	50. 05-R-1263	71. 05-R-1285
21. 05-R-1215	51. 05-R-1264	
22. 05-R-1229		
23. 05-R-1254		
24. 05-R-1217		
25. 05-R-1218		
26. 05-R-1219		
27. 05-R-1251		
28. 05-R-1223		
29. 05-R-1224		
30. 05-R-1225		